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EXAMINER

PATEL, NIMESH G

ART UNIT PAPER NUMBER

2112

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/014,904		HAWKINS ET AL.	
	Examiner		Art Unit	
	Nimesh G Patel		2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 and 23-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20020711</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 7 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims 7 and 10 recite the limitation "the plurality of field replaceable units" in lines 1-2 of the claims. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 22 recites the limitation "the first plurality of interchangeable components" in line three of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

5. In claims 1 and 6, the phrase "type specific to couple only to field replaceable units having the first type" is unclear. The phrase needs to be reworded to be clearer.
6. In claims 2 and 6, the phrase "type specific to couple only to field replaceable units having the second type" is unclear. The phrase needs to be reworded to be clearer.
7. In claim 8, the phrases "having the first type" and "having the second type" are unclear. A suggestion would be to replace the phrases with the phrases "of the first type" and "of the second type," respectively.
8. In claim 9, the phrase "type specific to couple only to field replaceable units having the third type" is unclear. The phrase needs to be reworded to be clearer.
9. In claim 10, the phrase "having the third type" is unclear. A suggestion would be to replace the phrase with the phrase "of the third type."

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10. Claim 11 is objected to because of the following informalities: The limitation "the management bus" in the last line of the claim should be written as "the second management bus." Appropriate correction is required.

11. Claim 16 is objected to because of the following informalities: The limitation "one more fan trays" in the fourth line of the claim should be written as "one or more fan trays."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-7, 9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Barenys et al.('036), hereinafter referred to as Barenys.

14. Regarding claim 1, Barenys discloses a first set of field replaceable units each being of a first type; a first management bus(Figure 2, 220), coupled to the first set of field replaceable units, type specific to couple only to field replaceable units having the first type(Column 3, Lines 42-45); and a central management agent(Figure 2, 202) coupled to the first management bus, to monitor each of the first set of field replaceable units and transmit signals to control each of the first set of field replaceable units(Column 3, Lines 57-62).

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15. Regarding claim 2, Barenys discloses a system further comprising a communication link, coupled to the central management agent, to transmit signals received from the central management agent indicating a failure of one or more of the first set of field replaceable units(Column 3, Lines 57-62).

16. Regarding claim 3, Barenys discloses a system, wherein the system further comprises: a second management bus(Figure 2, 226), coupled to the central management agent, type specific to couple only to field replaceable units of a second type, and a second set of field replaceable units(Column 3, Lines 63-67).

17. Regarding claim 4, Barenys discloses a system, wherein the first and second management buses are Inter-IC buses(Figure 2).

18. Regarding claim 5, Barenys discloses a system, wherein the system further comprises a second central management agent coupled to the first management bus(Column 3, Lines 30-33).

19. Regarding claim 6, Barenys discloses a first set of field replaceable units each being of a first type; a first management bus(Figure 2, 220), coupled to the first set of field replaceable units, type specific to couple only to field replaceable units having the first type(Column 3, Lines 42-45); a second set of field replaceable units each being of a second type; a second management bus(Figure 2, 226), coupled to the second set of field replaceable units, type specific to couple only to field replaceable units having the second type(Column 3, Lines 57-62); and a central management agent coupled to the first management bus and the second management bus, to monitor each of the first set of field replaceable units and the second set of field replaceable units(Column 3, Lines 57-62).

20. Regarding claim 7, Barenys discloses a system, wherein the central management agent is a processor(Figure 2, 202).

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21. Regarding claim 9, Barenys discloses a system, further comprising: a third management bus, coupled to the central management agent, type specific to couple only to field replaceable units having a third type, and a third set of field replaceable units each being of the third type(Column 3, Lines 63-67).

22. Regarding claim 11, Barenys discloses a system, further comprising a second central managements agent coupled to the first management bus and the second management bus(Column 3, Lines 30-33).

23. Claims 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Larson et al.(US2003/0033547), hereinafter referred to as Larson '547.

24. Regarding claim 16, Larson '547 discloses a system comprising: a first management bus(Figure 5, 554H), coupled to the one or more temperature sensors(Figure 5, 324), one or more fan trays(Figure 3, 304); a second management bus(Figure 5, 528) coupled to the fan trays; and a central management agent(Figure 3, 300E), coupled to the first management bus and the second management bus, to monitor the temperature sensors and the fan trays, and to transmit signals to control activation of the one or more fan trays based upon signals received from the one or more temperature sensors(Paragraph 49).

25. Regarding claim 17, Larson '547 discloses a system, wherein the system further comprises a central processing unit coupled to the central management agent(Figure 3, 300A).

26. Regarding claim 18, Larson '547 discloses a system, wherein the central management agent is an abstracting agent(Paragraph 19).

27. Regarding claim 19, Larson '547 discloses a system further comprising, one or more power supplies(Figure 3, 114); and a third management bus coupled to the one or more power supplies and the central management agent(Paragraph 46).

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28. Regarding claim 20, Larson '547 discloses a system, further comprising an external communication link coupled to the central management agent(Paragraph 57).
29. Claims 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Larson et al.(US2003/0037193), hereinafter referred to as Larson '193.
30. Regarding claim 16, Larson '193 discloses a system comprising: a first management bus(Figure 1, 32), coupled to the one or more temperature sensors(Figure 1, 30), one or more fan trays(Figure 1, 18); a second management bus(Figure 1, 34) coupled to the fan trays; and a central management agent(Figure 1, 14), coupled to the first management bus and the second management bus, to monitor the temperature sensors and the fan trays, and to transmit signals to control activation of the one or more fan trays based upon signals received from the one or more temperature sensors(Paragraphs 18 and 27).
31. Regarding claim 17, Larson '193 discloses a system, wherein the system further comprises a central processing unit coupled to the central management agent(Figure 1, 20).
32. Regarding claim 18, Larson '193 discloses a system, wherein the central management agent is an abstracting agent(Paragraph 18).
33. Regarding claim 19, Larson '193 discloses a system further comprising, one or more power supplies(Figure 1, 18); and a third management bus(Figure 1, 26) coupled to the one or more power supplies and the central management agent.

Claim Rejections - 35 USC § 103

34. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

35. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

36. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barenys, in view of Larson '547.

37. Regarding claim 8, Barenys discloses a system, wherein the set of field replaceable units can include any compatible I2C device(Column 3, Lines 25-26)

Barenys does not specifically disclose the first set of replaceable units having the first type are temperature sensors and the second set of replaceable units having the second type are power supplies. However, Larson '547 discloses an I2C compatible temperature sensor and power supplies(Figure 2; Paragraph 46). Therefore, it would have been obvious to include temperature sensors and power supplies since any I2C compatible device can be included in the system of Barenys.

38. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barenys, in view of Emberty et al.(US2002/0120367A1), hereinafter referred to as Emberty.

39. Regarding claim 10, Barenys discloses a system, wherein the set of field replaceable units can include any compatible I2C device(Column 3, Lines 25-26)

Barenys does not specifically disclose the set of field replaceable units having the third type are fan trays. However, Emberty discloses an I2C compatible fan tray(Paragraph 26).

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Therefore, it would have been obvious to include fan trays since any I2C compatible device can be included in the system of Barenys.

40. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Larson '547, in view of Carlson et al.('304), applied in the previous office action.

41. Regarding claim 21, Larson '547 does not specifically disclose a second central management agent. However, Carlson discloses a first and a second central management agent(Figure 1). Therefore it would have been obvious to use a second central management agent in the system of Larson '547, to achieve redundancy so as to prevent complete system failure in the event of the first central management agent failing.

Response to Arguments

42. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

43. Applicant's arguments regarding claims 16-22 filed December 2, 2004 have been fully considered but they are not persuasive. In response to applicant's arguments that the prior art does not disclose the central management agent transmitting signals to control devices, Larson '547 does disclose the central management agent transmitting signals to control devices(Paragraph 49).

Conclusion

44. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nimesh G Patel whose telephone number is 571-272-3640. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nimesh G Patel
Examiner
Art Unit 2112

NP NP
February 18, 2005


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